

Ordinance No. 455

AN ORDINANCE authorizing the Southern Railway Company, a corporation, to construct, maintain and use a railroad spur track in and along a part of Lee Street between Montgomery and Second Streets in the City of Alexandria, Virginia.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA AS FOLLOWS:

Section 1. That the Southern Railway Company, a corporation, be and it hereby is authorized to construct, maintain and use a spur track in and along a part of Lee Street between Montgomery and Second Streets in the City of Alexandria, Virginia. Said track shall begin with the main W. & O. D. Railroad track now in Lee Street at a point of switch 80 feet south of the south line of First Street, thence using a No. 8 frog or turnout to the left for a distance northerly along Lee Street of 153 feet to a point at which the spur track is 13 feet westerly from the existing center line of the W. & O. D. Railroad track, and thence continuing northerly along Lee Street parallel with the W. & O. D. Railroad and with track centers 13 feet apart to the south line of Second Street, the total length of said spur track from point of switch to the end being 500 lineal feet.

Section 2. That before any work is started on the construction of the said spur track hereinbefore mentioned or before the city street is used under authority hereby granted, plans, profile and specifications for the grading and alignment of said track shall be first submitted to and approved by the city engineer. All space between rails of said spur track, and all space within two feet outside of each rail, if street area, shall be paved with concrete. Such concrete shall extend two inches below the ties, and it shall be brought up to the top of the rails. All adjacent street area shall be brought up to uniform grade, construction, grading, necessary drainage, paving, and all other work shall be done at the cost of the company and under the supervision of the city engineer, and such work, including construction of switch, shall be done in a manner which will leave the streets always safe and in proper condition for vehicular and pedestrian traffic.

Section 3. That the Southern Railway Company shall keep such spur track and the street area between the rails and two feet on each side thereof in good repair and in safe condition so long as the spur track remains in the street. Use of the street by said company pursuant to the privilege hereby granted shall be considered an agreement by the company to save the City of Alexandria harmless from any liability by reason of the construction, use or maintenance of the said spur track.

Section 4. That the special privilege to use the said street in Alexandria herein granted shall be considered a limited and concurrent right, and the same shall in no manner be considered a right in perpetuity; and the City of Alexandria may require the removal of said track and the termination of said privilege upon sixty days' notice. Upon abandonment of said spur track or upon termination of said privilege, the company shall at its expense remove the said track and return the street to a safe and proper condition and pave the disturbed part of the street in like manner as the remainder of the street is paved at the time of removal.

Section 5. That this ordinance shall take effect immediately upon its passage.

WILLIAM T. WILKINS
Mayor

March 26, 1946